

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES DISTRICT COURT **Jun 07, 2016**  
EASTERN DISTRICT OF WASHINGTON SEAN F. McAVOY, CLERK

UNITED STATES OF AMERICA,

Plaintiff,

v.

LAZARO TOMAS PESINA,

Defendant.

No. 2:15-CR-0052-SMJ-01

**ORDER GRANTING THE USAO'S  
MOTION TO DISMISS**

A pretrial conference occurred in the above-captioned matter on May 20, 2016. Before the Court, is the U.S. Attorney's Office's (USAO) oral Motion to Dismiss. USAO seeks the Court's leave to dismiss the Indictment, ECF No. 1, without prejudice as to Defendant Lazaro Tomas Pesina pursuant to Federal Rule of Criminal Procedure 48(a). The Court grants the USAO leave to dismiss the Indictment. The Court makes no judgment as to the merit or wisdom of this dismissal.

Accordingly, **IT IS HEREBY ORDERED:**


**1.** The USAO's oral Motion to Dismiss, is **GRANTED**.

**2.** The Indictment, **ECF No. 1**, is **DISMISSED WITHOUT  
PREJUDICE** as to Defendant Lazaro Tomas Pesina.

1           **3.**     All hearings are **STRICKEN**, and all pending motions are **DENIED**  
2                   **AS MOOT.**

3           **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order  
4 and provide copies to all counsel, the U.S. Probation Office, and the U.S.  
5 Marshals Service.

6           **DATED** this 7th day of June 2016.

7                     
8                   \_\_\_\_\_  
                  SALVADOR MENDOZA, JR.  
                  United States District Judge  
9